

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MEGAN VILLELLA, Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

CHEMICAL AND MINING COMPANY OF  
CHILE, INC., et al.,

Defendants.

No. 1:15-cv-02106-ER

The Honorable Edgardo Ramos

**ECF Case**

**Oral Argument Requested**

**NOTICE OF MOTION TO DISMISS OF DEFENDANT  
CHEMICAL AND MINING COMPANY OF CHILE, INC.**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Chemical and Mining Company of Chile, Inc.'s Motion to Dismiss the Consolidated Complaint; the Declaration of Grant R. Mainland in Support of Chemical and Mining Company of Chile, Inc.'s Motion to Dismiss the Consolidated Complaint, dated March 30, 2016, and the exhibits thereto; the Declaration of Pedro Pablo Vergara V., dated March 29, 2016, and the exhibit thereto; the Declaration of Matias Astaburuaga S., dated March 28, 2016; and upon all prior proceedings herein, Defendant, by its undersigned attorneys, will move before the Honorable Edgardo Ramos, United States District Judge, United States District Court for the Southern District of New York, 40 Foley Square, New York, New York 10007, Courtroom 619, at a date and time to be determined by the Court, for an order dismissing with prejudice the Corrected Consolidated Complaint for Violation of the Securities Laws (ECF No. 40) in its entirety under the doctrine of *forum non conveniens* or, alternatively, pursuant to Rules 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure for failure to state a claim under Section 10(b)

of the Securities Exchange Act of 1934, 15 U.S.C. § 78j(b), and the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4.

PLEASE TAKE FURTHER NOTICE that, as set forth in the Stipulation and Order Regarding Service, Time to File Consolidated Class Action Complaint and Setting Schedule for Briefing Defendant's Motion to Dismiss, dated November 13, 2015 (ECF No. 38), Plaintiff shall file any answering memoranda of law, opposing affidavits, or other responding papers no later than May 26, 2016.

Dated: New York, New York  
March 30, 2016

MILBANK, TWEED, HADLEY & McCLOY LLP

By: /s/ Scott A. Edelman  
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*Attorneys for Defendant Chemical and Mining Company of Chile, Inc.*